

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHOON'S DESIGN, L.L.C.,

Plaintiff,

v.

Case No. 4:22-cv-12963

District Judge F. Kay Behm

Magistrate Judge Anthony P. Patti

ANHETOY, *et al.*,

Defendants.

**ORDER GRANTING PLAINTIFF'S AUGUST 12, 2024 MOTION TO
COMPEL (ECF No. 127) AS UNOPPOSED**

In this lawsuit, Plaintiff alleges myriad Defendants infringed its "Rainbow Loom" mark. On August 12, 2024, Plaintiff Choon's Design, L.L.C. filed a motion to compel Defendants Hzbhllx, Jming, Xtietsksh, and Yczl's responses to Plaintiff's May 24, 2024 discovery requests. (ECF No. 17; *see also* ECF Nos. 127-3 [HZBHLLX], 127-4 [JMING], 127-5 [XTIEKSH], 127-6 [YCZL]).

"A respondent opposing a motion must file a response, including a brief and supporting documents then available." E.D. Mich. LR 7.1(c)(1). Defendants' response was due on or about August 26, 2024. *See* E.D. Mich. LR 7.1(e)(1)(A). To date, the relevant Defendants have not filed a response.

Upon consideration, Plaintiff's motion (ECF No. 127) is **HEREBY GRANTED AS UNOPPOSED**. No later than **September 25, 2024**, Defendants

Hzbhllx, Jming, Xtieks, and Yczl **SHALL** serve upon Plaintiff “full and complete” answers to Plaintiff’s interrogatories and “long-overdue documents” responsive to Plaintiff’s document requests. (*See id.*, PageID.4921, 4925-4926).

In addition to seeking an order requiring these Defendants’ answers and responses, Plaintiff also requests “payment of expenses pursuant to Fed. R. Civ. P. 37(a)(5) because Plaintiff has asked for cooperation from Defendants before filing this motion and has received no response.” (ECF No. 127, PageID.4925.) If Plaintiff wishes to pursue an award of its reasonable expenses and/or attorney’s fees in connection with its preparation of this motion, it must consult my Practice Guidelines for discovery motions and file a sworn bill of costs and any supporting documentation on or before **October 2, 2024**. Defendants HZBHLLX, JMING, XTIEKSH, and YCZL shall have until **October 16, 2024** to file their objections. Should any objection be filed, it must explain who bears responsibility for the failure to comply with the discovery obligations, so that the Court can determine whether it was a particular Defendant’s conduct that necessitated the motion or its attorney’s, or both.

Finally, Defendants Hzbhllx, Jming, Xtieks, and Yczl are hereby warned that failure to comply with this order may result in sanctions under Fed. R. Civ. P. 37(b)(2), up to and including having the Court render a default judgment against them.

It is **SO ORDERED**.

Date: September 3, 2024

A handwritten signature in blue ink, appearing to read "A. P. Patti", written over a horizontal line.

Anthony P. Patti
United States Magistrate Judge